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UNCLAS SECTION 01 OF 03 ANTANANARIVO 001416

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DEPT FOR INL EFLOOD  
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SUBJECT: GOM STRIVES FOR TIER ONE TIP STATUS

REFTEL: A) ANTANANARIVO 1289

B) ANTANANARIVO 920  
C) 05 ANTANANARIVO 680

¶1. SUMMARY: Government of Madagascar (GOM) ministry representatives delivered comprehensive accounts of the year's activities at the semi-annual planning workshop of the Inter-Ministerial Committee to Combat Human Slavery and Trafficking in Persons (TIP). Presenters noted some failures in 2006, due to constraints ranging from a lack of financial and material resources to overall coordination problems. Our GOM partners remain committed to meeting USG requirements for graduation to Tier One status, which were incorporated into the government's five-year Madagascar Action Plan (MAP) (Ref B) for development. However, the GOM still has a way to go in implementing prosecution measures, passing trafficking-specific legislation, and compiling reliable statistics. Aware of these shortcomings, Ministry representatives are undergoing an intense consultative process to address these issues early in 2007. END SUMMARY.

¶2. At a meeting of the Inter-Ministerial Committee to Combat Human Slavery and Trafficking in Persons December 12 and 13, working-level Ministry representatives delivered comprehensive accounts of the successes and failures of 2006, as well as challenges and opportunities for 2007. PolOff was impressed with the participants' energy and commitment to achieving Tier One status. She also counseled the group that GOM efforts must also address the need for prosecution, collection and dissemination of reliable statistics, and trafficking-specific legislation. The committee carefully listened to PolOff's explanation of anti-trafficking definitions and requirements and, wary of possibly backsliding onto the Watch List, decided to re-align its 2007 Action Plan to specifically conform to USG minimum standards.

¶3. Participants were candid about the major obstacles they face in implementing TIP-related activities. Across the board, Ministry representatives noted the lack of financial and material resources as a major challenge. Several officials inquired about the status of the nearly USD one million for TIP-related activities promised by the U.S. Embassy in June 2005 (Ref C). In light of the difficulty in communication and coordination between the ministries, the committee requested that the Presidency's Office of Social Affairs play a permanent coordinating role for government-wide activities. Participants noted the collection of reliable statistics remained tough; particularly for problems that occur behind closed doors, such as forced domestic labor and the sexual exploitation of children, especially in the more remote regions of the country. One of the Presidency's priorities for 2007 is to establish a database of trafficking statistics and activities.

14. Ministry of Justice (MOJ): In terms of legislative reform, the MOJ is close to completing several laws to be presented at the first session of parliament in May 2007. These laws address: the protection of child victims of abuse and violence (which includes protection for pregnant girls and punitive measures for the clients of child prostitutes); the fight against terrorism and transnational organized crime; raising the legal marriage age; and the responsibility of parents for their children. The Ministry is also close to releasing a decree listing prohibited forms of child labor.

While these legislative measures are not TIP-specific, the MOJ insists they will offer protection to victims of a wide range of abuses. The TIP-specific law originally promised for October 2006 is still being drafted, but the MOJ representative admitted that without the technical support of a consultant to ensure the text adheres to international standards, the Ministry cannot give a specific date of completion. Other MOJ activities in 2006 to address the exploitation of children, violence against women and girls, and new adoption regulations included:

- training sessions for magistrates;
- a week-long screening of educational films;
- education campaigns on national television and radio;
- the creation of counseling centers;
- a joint action plan with community stakeholders to protect the children of Nosy Be;
- studies on violence against children;

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- the adoption of decrees regulating foster care;
- and a study on Malagasy children in trouble with the law.

15. Ministry of Culture and Tourism: To stop the proliferation of sex tourism in Madagascar, this Ministry conducted public awareness training at cultural events for 250 personnel working in the tourism industry, as well as for women and children at risk of being trafficked in seven different locations in Madagascar (Farafangana, Tulear, Betioky, Mahajunga, Manakara, Ambositra, and Antsohihy). The Ministry was not able to train additional speakers or instructors on the fight against sex tourism, as hoped, due to budget cuts and bottlenecks.

16. Ministry of Education (MOE): The Ministry of Education conducted workshops on children's rights, the worst forms of child labor, the minimum working age, and school retention programs at 152 schools and 87 parent associations throughout the country. The MOE also conducted education campaigns on sexual reproductive health at 18 schools. The MOE's public education campaign included 27 newspaper articles, 32 radio programs, five radio spots, five television spots, one poster and one skit on the following topics: children's rights, the worst forms of child labor, Conventions 138 and 182, the minimum working age, education and school retention programs, the fight against teenage pregnancy, and the sale of alcohol. Twenty-two Ministry personnel at the regional level benefited from internal capacity building programs. The MOE incorporated these themes into International Education Week activities by organizing a debate and an exhibit on the social reintegration of child workers and street children.

17. The Ministry of Foreign Affairs: The Ministry of Foreign Affairs drafted a report on the implementation of the Convention on the Rights of the Child in Madagascar, specifically relating to the sale and prostitution of children, including for use in pornography. This report will be reviewed in April 2007 by the UN High Commissioner for Human Rights in New York.

18. The Ministry of Civil Services and Labor: In 2006, 36 of the 50

child workers taken into the country's three Welcome Centers were either given vocational training or placed back in school; 20 new child workers were identified for professional training and 20 others for remedial education. The Ministry also set up provincial offices to monitor child labor in Diego Suarez and Tulear and is finalizing a text on the application of the labor code for child workers. Unfortunately, the budget for remedial programs for child workers was slashed by as much as 45 percent, making these programs largely dependant on outside support, namely from the U.S. Embassy and the International Program on the Elimination of Child Labor (IPEC). Due to lack of funding, plans to build two youth centers in Antsirabe and Nosy Be were put on hold.

¶9. The Ministry of Youth and Sports: In 2006, the Ministry of Youth and Sports trained nearly 60 adult speakers and 120 youth peer educators on life skills, gender issues, and children's rights; distributed fliers, posters and banners on "how to say no" and how to seek counseling; and created 7 CDs on sexual reproductive health and sexual violence. The Ministry estimates its programs reached over 78,000 young people in 2006. Its collaboration with the UN Population Fund to educate Malagasy adolescents about reproductive health, rape, sexual harassment and prostitution was considered particularly successful.

¶10. The Ministry of Telecommunications and Communication: This Ministry trained journalists representing 125 of the country's 256 radio and television stations on the Convention on the Rights of the Child and the GOM's campaign to issue birth certificates. Journalists agreed that child speakers should be featured on radio and television programs. The Ministry also posted posters with messages against sex tourism in 150 post offices around the country; organized a contest in collaboration with UNICEF for journalists to write about children's rights; and trained 20 journalists on sexual reproductive health. Following the release of UNICEF's video "Vero et Haingo" on sexual exploitation, the Ministry of Telecommunications dispatched copies of the film and supporting information throughout the country's 22 regions.

¶11. The Ministry of Population (MOP): Many of the MOP's activities in 2006 focused around the GOM's campaign to issue birth certificates, including the training of 400 civil servants on the issuance process and raising public awareness via 5,000 outreach coordinators and fliers. The MOP is currently retroactively registering birth certificates in 111 communes. As the lead Ministry on adoption issues, the MOP has also received 181 applications for international adoption since 2003, of which 127

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were ruled on by the Court of Appeals. At least six of the applications were rejected. Other MOP activities in 2006 included the training of 275 child counselors; an education awareness campaign on children's rights legislation that reached 87,000 children and adults, and the establishment of a children's association in Mahajunga allowing children to participate in the decision-making process at the provincial level.

¶12. The State Secretary of Public Security (SSPS): In general, the SSPS has focused on prevention rather than prosecution. Planned monitoring of nightclubs, schools, and alcohol sales to minors did not take place due to a lack of financial and material resources, as well as the general avoidance of any repressive police action during an election year. Instead, the SSPS conducted educational programs on child exploitation, statutory rape, prostitution, and drug abuse for 17,700 students, 75 school administrators, 22 teachers, and 100 parents. Nine thousand members of the general public benefited from SSPS-run awareness campaigns on the protection of children's rights. The SSPS also conducted education campaigns for 35 hotel managers and 24 "red zone" neighborhoods in Antananarivo on legislation concerning the protection of minors. The SSPS has set up "morals and minors" police brigades in Tulear, Fort Dauphin and Morondava. Funded by the USG and in collaboration with UNICEF, the SSPS is designing a standard training module for police on the protection of minors. The program has trained 25 police and gendarmes in Diego Suarez and 19 in Antananarivo. Finally, the SSPS published a number of articles in international newspapers on the sexual exploitation of minors and a number of related topics.

COMMENT:

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¶13. Post remains convinced our GOM partners wish to graduate to G/TIP Tier One status. There is no shortage of energy and commitment by the government to implement activities to reduce trafficking and human slavery in Madagascar. However, the GOM will continue to make only incremental progress until it finds adequate funding. The emphasis so far on prevention over prosecution is also in part based on the cultural bias against strong police enforcement, which many Malagasy perceive as "government repression." A comprehensive anti-trafficking law remains the GOM's priority deliverable; Post assesses as realistic the claim that outside help would make it a much better instrument. Notwithstanding challenges and setbacks, Madagascar values its reputation as a model for anti-TIP efforts. Post recommends the USG establish specific milestones for a roadmap to Tier One status, coupled with financial and technical assistance to facilitate Madagascar becoming one of the first sub-Saharan African nations to "graduate." END COMMENT.

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